



DANIEL HARRIGAN, MAYOR

CITY OF AKRON, OHIO

Marilyn Keith, President
Margo Sommerville, Vice-President
Donnie Kammer, President Pro-Tem

Members of Council:

Jeff Fusco, At-Large	Tara Mosley-Samples, Ward 5
Linda Omobien, At-Large	Bob Hoch, Ward 6
Veronica Sims, At-Large	Donnie Kammer, Ward 7
Rich Swirsky, Ward 1	Marilyn Keith, Ward 8
Bruce Kilby, Ward 2	Mike Freeman, Ward 9
Margo Sommerville, Ward 3	Zack Milkovich, Ward 10
Russel Neal, Ward 4	www.akroncitycouncil.org

COUNCIL AGENDA FOR November 20, 2017

Regular Meeting held on November 13, 2017. All members were present except Freeman and Fusco. Minutes of the previous meeting approved. (Neal and Hoch abstained)

CONSENT AGENDA

- 1 ORDINANCE providing for the temporary appropriation for the current expenses, other expenditures and the capital outlays of the City of Akron for the period of January 1, 2018 through March 31, 2018; and declaring an emergency. BUDGET & FINANCE

- 2 ORDINANCE authorizing the Purchasing Agent, without the formality of publicly advertising for bids, to enter into a contract to purchase online employee benefit enrollment services through BenTek, Inc.; and declaring an emergency. BUDGET & FINANCE

- 3 ORDINANCE authorizing the Director of Public Service, through the office of the Purchasing Agent, after publicly advertising for bids, to enter into contracts for the installation of certain sodium hypochlorite tanks at the Akron Water Reclamation Facility; and declaring an emergency. PUBLIC UTILITIES

- 4 ORDINANCE authorizing the Purchasing Agent, without the formality of publicly advertising for bids, to enter into contracts to purchase various equipment, materials and labor in order to upgrade and replace the current supervisory control and data acquisition system (“SCADA”) and related items at the Akron Water Plant located at 1570 Ravenna Road in Kent, Ohio; and declaring an emergency. PUBLIC UTILITIES

- 5 ORDINANCE authorizing the Mayor or his designee to apply for and accept if awarded a grant from the Ohio Bureau of Workers’ Compensation for the “Safety Intervention Grant” for equipment; authorizing the Fire Chief through the Purchasing Agent to enter into an agreement or agreements to carry out the terms of the grant by purchasing the equipment necessary to carry out the purpose of the grant; authorizing the expenditure of local funds; and declaring an emergency. PUBLIC SAFETY

- 6 ORDINANCE authorizing the Mayor or his designee to apply for and to accept, if awarded, funding from the Northern Ohio Golf Charities, Inc. grant program; and declaring an emergency. PUBLIC SAFETY

- 7 ORDINANCE authorizing the Mayor or his designee to apply for and to accept, if awarded, funding from the Wal-Mart Foundation grant program; and declaring an emergency. (Global Village) PARKS & RECREATION

- 8 ORDINANCE authorizing the Mayor or his designee to apply for and to accept, if awarded, funding from the Wal-Mart Foundation grant program; and declaring an emergency. (Arts Expo) PARKS & RECREATION

- 9 RESOLUTION expressing support for the National Park System and urging Congress to increase federal funding to properly maintain the National Parks; and declaring an emergency. PARKS & RECREATION

RULES (M. Sommerville, Chairwoman)

TIME:

- 1 Ordinance amending and/or supplementing Title 3 “Administration,” Chapter 30 “Mayor and Council,” Section 30.11 “Limits on Noncash

- 2 Ordinance amending and supplementing Title 3, Chapter 31 of the Akron Code of Ordinances, to enact Article 3 “Neighborhood Advisory Associations,” Sections 31.43-31.47; and declaring an emergency. (6/19/17) (Committee requested Time)

FILED:

- 3 Resolution expressing its continuing support for and urging the passage of Issue 4 on November 7, 2017; and declaring an emergency. (10/16/17)

BUDGET & FINANCE (M. Freeman, Chairman)

FIRST READING & REFERRED

- 1 ORDINANCE reaffirming support and authorizing execution of an amended and restated Guaranty Agreement among the City, the County of Summit and Fifth Third Bank, in connection with the extension of certain credit facilities to Akron Community Service Center and Urban League, Inc. (the “Akron Urban League”) to continue to support the Akron Urban League’s community service center and for its operations; and declaring an emergency. (11/13/17)

PLANNING (J. Fusco, Chairman)

FIRST READING & REFERRED

- 1 ORDINANCE authorizing the Director of Public Service to enter into a lease/purchase agreement with Pear LLC for the lease/purchase of City-owned property at 365 Water Street known as the Hamlin Building; and declaring an emergency. (11/13/17)

TIME:

- 2 D-369 Petition of Julie Anderson to establish an after school day care business at 979 Copley Road. (PC-2017-56-CU)
- 3 ORDINANCE authorizing a Conditional Use to construct a medical marijuana cultivation site at 1229 Anna Marie Parkway; and declaring an emergency. (10/30/17) (Public Hearing was held 11/13/17)

- 4 D-368 Petition of Chris Muzzin to construct a medical marijuana cultivation site at 1229 Anna Marie Parkway (PC-2017-38-CU)
- 5 ORDINANCE authorizing a Conditional Use to install an electronic message center sign at 328 South Main Street; and declaring an emergency. (10/30/17) (Public Hearing was held on 11/13/17)
- 6 D- 370 Petition of Chris Kanieski to install an electronic message center at 328 S. Main Street. (PC-2017-64-CU)
- 7 ORDINANCE authorizing a Conditional Use to construct a 40-unit townhouse development at North Main Street and Olive Street; and declaring an emergency. (10/30/17) (Public Hearing was held 11/6/17)
- 8 D-367 Petition of Testa Enterprises to construct a 40 unit townhouse development at N. Main Street and Olive Street. (PC-2017-62-CU)
- 9 Ordinance authorizing a conditional use to construct a commercial building and parking lot on the east side of Talbot Avenue, south of McKinley Avenue; and declaring an emergency. (Public Hearing was held 10/16/17) *(Committee Requested Time)
- 10 D-317 - Petition of Shubraj Basran for a Conditional Use to construct a commercial building and parking lot on the east side of Talbot Avenue, south of McKinley Avenue; and sale of four parcels of City-owned land. (PC-2017-48-CU &S)
- 11 ORDINANCE authorizing a Conditional Use to establish a commercial use at 982 Oakland Avenue; and declaring an emergency. (Public Hearing 9/25/17)
- 12 D-315 - Petition of Triple D Ice Cream for a Conditional Use to establish ice cream sales at 982 Oakland Ave. (PC-2017-45-CU)
- 13 D-372 Re-opening of the Petition of Stephen Brown for a Conditional Use to increase the size of a previously approved oversized accessory structure at 590 Diagonal Road. (PC-2017-66-CU)
- 14 D-373 Petition of St. Vincent-St. Mary High School to install a monument

- 15 D-374 Petition of J.W. Didado Electric, LLC, for a Conditional Use to construct an office and warehouse addition at 1033 Kelly Avenue. (PC-2017-74-CU)
- 16 D-375 Petition of Laura Grguric for a Conditional Use to construct an oversized accessory structure at 2095 Forest Edge Drive. (PC-2017-72-CU)
- 17 D-376 Petition of Dorothy Johnson and Bernadine Swain for a Conditional Use to establish a mental health rehabilitation center at 1009 Copley Road. (PC-2017-70-CU)
- 18 D-377 Petition of Gehm & Sons, Ltd., for a Conditional Use to place a CO2 tank at 1031 Forbes Avenue. (PC-2017-58-CU)
- 19 D-152. 2014-2018 Capital Investment and Community Development Program. (1/5/15)
- 20 D-31. Petition of Lonnie Jones for a Conditional Use to establish a rooming house at 460 South Maple Street. (PC-2012-15) (4/16/12)

PUBLIC SERVICE (V. Sims, Chairwoman)

NO ITEMS

PUBLIC UTILITIES (R. Neal, Chairman)

TIME

- 1 ORDINANCE establishing a formula for the maximum amount to be billed with respect to the sewer portion of any City of Akron-issued utility bill; and declaring an emergency. (7/11/16) (NOTE: On 7/25/16, a Second Substitute Amendment was read in. The Committee requested time.)

PUBLIC SAFETY (D. Kammer, Chairman)

NO ITEMS

PARKS & RECREATION (R. Neal, Chairman)

NO ITEMS

HOUSING (T. Mosley-Samples Chairwoman)

NO ITEMS

HEALTH & SOCIAL SERVICE (L. Omobien, Chairwoman)

NO ITEMS

ECONOMIC DEVELOPMENT (M. Sommerville, Chairwoman)

NO ITEMS

GREEN/SUSTAINABILITY (R. Swirsky, Chairman)

NO ITEMS

MISCELLANEOUS

FILED

- 1 D- 383 Notice of Stock of D5, D6 liquor permit to Clara Mae LLC, dba Debonaires Ultra Lounge & Patio, 1221 S. Arlington St (WARD 5)
- 2 D-384 Notice of Transfer of C1, C2, D6 liquor permit to IShamvid Inc, dba Valley Mart, 1752 Merriman Rd. (WARD 8)
- 3 D-385 Notice of Hearings on Renewal Permits #3134856 & #3134871 for Georgie's Girls, LLC 1306 Brittain Road. (WARD 2)

ORDINANCES & RESOLUTIONS PASSED

- 1 RES 355 2017 Urging the President of the United States and the United

- 2 ORD 356-2017 authorizing a Conditional Use to construct an after school day care business center at 979 Copley Road; and declaring an emergency. VOTE 11-0 (Freeman & Fusco absent)

- 3 ORD 357-2017 authorizing the Director of Public Service, through the office of the Purchasing Agent, without the formality of publicly advertising for bids, to enter into contracts with Wagner Enterprise, Inc., for the purchase of certain sodium hypochlorite tanks and related parts for use at the Akron Water Reclamation Facility; and declaring an emergency. VOTE 11-0 (Freeman & Fusco absent)

- 4 ORD 358-2017 authorizing the Mayor or his designee to enter into an agreement or agreements with The University of Akron (“University”) and/or the State of Ohio allowing for the use of State-appropriated funds for capital improvements and/or other expenditures at City-owned property; and declaring an emergency. VOTE 11-0 (Freeman & Fusco absent)

REPRESENTATION FROM VARIOUS DEPARTMENTS AND DIVISIONS:

Annie McFadden, Deputy Chief of Staff; Ellen Lander Nischt, Press Secretary/ Assistant Director of Law; John York, Assistant Director of Law; Gert Wilms, Prosecutor; Christine Curry, Director of Communications; John Moore, Director of Service; Mike Antenucci, Zoning; Donald Rice, Director of Human Resources; Wendy Weaver, Benefits Manager; Brad Beckert, Economic Development; Thomas Tatum, Housing Rehab

COMMITTEE MEETINGS

Scheduled for: 11/20/17

1:00 P.M.	Green/Sustainability	2:30 P.M.	Health & Social Service
1:30 P.M.	Planning	2:30 P.M.	Rules
2:00 P.M.	Public Service	2:45 P.M.	Economic Development & Job Creation
2:15 P.M.	Public Safety	3:00 P.M.	Budget & Finance
2:15 P.M.	Parks & Recreation	3:30 P.M.	Housing
2:30 P.M.	Public Utilities		

On Motion, Council adjourned at 8:01p.m.

Robert Keith, Clerk of Council

Frequently Used Terms

Consent Agenda: One or more ordinances and/or resolutions that can be acted on at one time under a single motion.

Refer / Time: When Council delays taking any action on a piece of legislation until a future meeting.

Declaring an Emergency: Allows Council to dispense with the requirement that a piece of legislation be read at three separate Council meetings, and allows the legislation to go into effect earlier than 30 days from passage of the legislation.

Suspension of the Rules: Allows Council, upon a two-thirds vote, to temporarily suspend or set aside the Rules of Procedure for Council. This motion is most commonly used to pass legislation as an emergency (see above).

Amend: A proposal to alter the text of an ordinance or resolution by substituting, adding, or deleting language.

Legislation: An official act of Council that takes the form of either an ordinance or a resolution (see below).

Ordinance: A formal act of Council. Examples of ordinance topics include: authorizing the Director of Public Service to enter into a contract for the construction of a project, approving a union agreement, approving a conditional use application, or amending the Codified Ordinances of the City.

Resolution: A formal expression of the opinion or will of Council. Examples of resolution topics include congratulating a local high school that has won a state championship, supporting or opposing a bill pending before the Ohio General Assembly, or approving the appointment of members of a board or commission.

Substitute Offered as an Amendment: An amended version of an ordinance or resolution that replaces an earlier version before Council.

Motion: A formal request for consideration of a proposal for action by Council members. Examples include a motion to pass an ordinance, a motion to amend, or a motion for time.

Second: An indication by a member of Council, other than the member who made the motion, that he or she agrees that the proposed motion should be considered.

Executive Session: A closed-door session of Council for the purpose of discussing a particular confidential matter, in accordance with law.

Roll Call: When the names of Council members are called out by the Clerk of Council to confirm their vote on the previous motion.

Public Hearing: When a hearing is held before Council or a committee of Council on a particular piece of legislation. Members of the public wishing to testify before Council at a public hearing are asked to first take an oath to swear or affirm that the testimony they will provide is the truth.

Public Speaking Period: The portion of a regular Council meeting where members of the public are invited to address Council for three minutes on topics that are germane and relevant to Council business. Members of the public are asked to provide their name and address, and to refrain from making personal attacks or disrespectful remarks.

Minutes: The official record of a meeting of Council or a committee of Council.

Committee: A smaller group of members of Council that meet to consider legislation before it is considered or voted upon by all of Council. Standing committees are established by the Rules of Procedure of Council and have five members each. Special committees are appointed by the President. Committee meetings take place on Monday afternoons.

Quorum: The minimum number of members who must be present to officially conduct business. A quorum of Council is a majority of the all of the members of Council, a quorum of a committee is three members.

Abstain: When a member of Council elects not to vote on a particular motion.

“Aye” or “Yea”: an affirmative or favorable vote on a motion.

“Nay” or “No”: *a negative or unfavorable vote on a motion.*

Roberts Rules of Order: *A manual on parliamentary procedure. In the absence of any provision governing matters of business in either the Rules of Procedure of Council, the laws of the State of Ohio, or the City Charter, Roberts Rules of Order, Newly Revised shall be the standard of parliamentary procedure for Council.*

Chairperson: *The member of Council who presides over a particular committee and its meetings. In the absence of the Chairperson the Vice-Chairperson shall preside over the committee.*

President: *The member of Council who presides over Council and its meetings. In the absence of the President, the Vice President shall be the presiding officer. In the absence of either the President or the Vice President the President Pro Tem shall be the presiding officer.*